

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:12-po-028

-vs-

Magistrate Judge Michael R. Merz

:

HARRY RICHARDSON,

Defendant.

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**ORDER**

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This case is before the Court on correspondence from Defendant dated April 12 and April 16, 2012 (Doc. No. 6). These filings were submitted *pro se* although Defendant is represented by appointed counsel.

In the April 12, 2012, letter, Defendant complains of the conditions of his confinement. This Court has no control over where the Bureau of Prisons assigns or confines an inmate or the conditions of that confinement. When Defendant was before the Court, he was identified as having been diagnosed with a MRSA infection which he refused to keep bandaged and thereby threatened to spread the infection. It may be that the conditions of his confinement are related to that diagnosis.

Defendant requests that he be granted an early release, but federal judges have no authority to grant a shortening of a sentence once it is imposed.

If Defendant believes his conditions of confinement violated the Eighth Amendment, he is free to file a civil rights lawsuit seeking relief from those conditions in the United States District Court for that portion of the Commonwealth of Kentucky which includes the Ashland FCI.

Defendant also mentions that he has pending warrants for his arrest in the State of Georgia.

He can request that State to obtain his presence for prosecution of those cases.

April 23, 2012.

s/ **Michael R. Merz**  
United States Magistrate Judge